

By: Middleton

S.B. No. 744

A BILL TO BE ENTITLED

AN ACT

1
2 relating to clarifying that a statutory county court judge is
3 authorized to issue a search warrant for access to a cellular
4 telephone or other wireless communications device.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

6 SECTION 1. Article 18.0215(b), Code of Criminal Procedure,
7 is amended to read as follows:

8 (b) A warrant under this article may be issued only by a
9 judge, including a statutory county court judge, in the same
10 judicial district as the site of:

11 (1) the law enforcement agency that employs the peace
12 officer, if the cellular telephone or other wireless communications
13 device is in the officer's possession; or

14 (2) the likely location of the telephone or device.

15 SECTION 2. This Act takes effect September 1, 2023.